

William C. Dresser, 104375
Law Offices of William C. Dresser
4 North Second Street, Suite 1230
San Jose, California 95113
Tel: 408/279-7529
Fax: 408/298-3306

Attorneys for Plaintiffs and Relators
Gregor Lesnik and Stjepan Papes

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA, ex rel.
GREGOR LESNIK; STJEPAN PAPES,

No: 16-CV-01120-LHK

Plaintiffs and Relators,

Notice of Dismissal Without Prejudice of
Specified Defendants as to Second
Cause of Action, Count 1

vs.

EISENMANN SE, et al.

Defendants.

NOTICE IS HEREBY GIVEN THAT Plaintiffs and Relators Gregor Lesnik and
Stjepan Papes voluntarily dismiss the Second Cause of Action, First Count of the
Second Amended Complaint, titled "Class action wages claims" against:

Defendants Daimler AG, Mercedes-Benz U.S. International, Inc., Bayerische
Motoren Werke, CiTic Dicastal Co., Ltd., Volkswagen Group of America Chattanooga
Operations, LLC (sued herein as "Volkswagen"), LB metal d.o.o., aka Mos LB Metal
d.o.o., D2N Tehnologije d.o.o. aka D2N d.o.o.. Primiko, d.o.o., Volvo Car Corporation
(dba "Volvo Car North America, LLC fka Volvo Cars of North America, LLC") sued as
Doe 1, Deere & Company (sued herein as "John Deere") sued as Doe 2, Lax Fabricating
Ltd sued as Doe 3, Keystone Automotive sued as Doe 4, Phoenix Mechanical sued as
Doe 5, REHAU Incorporated, sued as Doe 6, HRD/ MONT d.o.o. sued as Doe 7, VV

1 Mont sued as Doe 8, Magma, Intl sued as Doe 9, Magma Services Gmbh, sued as Doe
2 10, Magma, d.o.o, sued herein as Doe 11, We-Kr d.o.o. sued as Doe 12, RIMSA PLUS
3 Sp. z o.o. sued as Doe 13, Enterprise MDM Poland Sp. z o. o. (parent) sued as Doe 14,
4 MDM Polska sp. z.o.o. sued as Doe 15, and Moss, d.o.o. sued as Doe 16.

5 This dismissal is without prejudice pursuant to Fed. R. Civ. Proc. 41(a)(1)(A)(I).
6

7
8 Dated: March 6, 2018

9 Law Offices of William C. Dresser

10
11 /s/
By William C. Dresser
12 Attorneys for Plaintiffs and Relators
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I declare that I am over the age of eighteen (18) and not a party to this action. My business address is 4 North Second Street, Suite 1230, San Jose, California 95113.

On March 5, 2018 I served the following document(s):

Notice of Dismissal Without Prejudice of Specified Defendants as to Second Cause of Action, Count 1

on the interested parties in this action:

By United States Mail: I caused the above-referenced document(s) to be deposited in a sealed envelope with postage thereon fully prepaid, in the United States Mail, at San Jose, California, addressed as follows:

Padraic Foran
Hueston Hennigan LLP
523 West 6th St., Suite 400
Los Angeles, CA 90014
Tel: 213.788.4354
PFORAN@HUESTON.COM
Attorney for Tesla Motors, Inc.

Tera M. Heintz
Morgan, Lewis & Bockius LLP
One Market Street, Spear Tower
San Francisco, CA 94105
Tel: 415.442.1334
Fax: 415.442.1001
tera.heintz@morganlewis.com
Attorney for John Deere

Jeremy Byrum
Sylvia Kim
McGuire Woods
Gateway Plaza
800 E. Canal St.,
Richmond, VA 23219-3916
Tel: 804.370.1650
Fax: 804 698 2080
jbyrum@mcguirewoods.com
Attorney for Mercedes-Benz U.S.,
International, Inc. and for Rehau, Inc.

Charles "Chuck" Lee
Miller & Martin PLLC
Volunteer Building Suite 1200
832 Georgia Avenue
Chattanooga, TN 37402-2289
Tel: 423.756.6600
Fax: 423.785.8480
Chuck.Lee@millermartin.com
Attorney for Volkswagen Group of
America Chattanooga Operations, LLC

Aaron M. Bernay
Frost Brown Todd LLC
Great American Tower
301 E Fourth St., Suite 3300
Cincinnati, OH 45202
Tel: 513\651-6831
Fax: 513\651-6981
Abernay@fbtlaw.com
Attorneys for Eisenmann Corp.

Scott R. Carvo
Warner Norcross & Judd LLP,
900 Fifth Third Center
111 Lyon Street, NW
Grand Rapids, MI 49503-2487
Tel: 616.752.2000
scarvo@wnj.com
attorney for CiTic Dicastal Co., Ltd.

Regina Petty
Fisher & Phillips
4747 Executive Drive, Suite 1000
San Diego, CA 92121
Tel: 858\597-9614
Fax: 213.330.4501
rpetty@fisherphillips.com
attorneys for LAX Fabricating

Jesse L. Miller
Reed Smith
101 2nd St #1800
San Francisco, CA 94105
Tel: 415\659-5973
jessemiller@reedsmith.com
for Defendant Volkswagen Group of
America Chattanooga Operations, LLC

Colin West
Morgan Lewis
One Market, Spear Street Tower
San Francisco, CA 94105-1596
Tel: 415\442-1121
Fax: 415\442-1001
colin.west@morganlewis.com
for defendant BMW of North America,
LLC and/or BMW Manufacturing Co,
LLC

By E-Service: The above documents were also served in accordance with the
Electronic Case Filing provisions of General Order 45 of U.S. District Court, N.D.
California via the ecf system by those recipients designated on the Court's website,
including:

Kimberly Friday kimberly.friday@usdoj.gov

Michael Quinn Eagan , Jr michael.eagan@morganlewis.com

Regina Alvinette Petty rpetty@laborlawyers.com

Sylvia Jihae Kim skim@mcguirewoods.com

Tera Marie Heintz theintz@morganlewis.com,

James Mark Neudecker jneudecker@reedsmith.com

I declare under penalty of perjury under the laws of the State of California and of
the United States that the above is true and correct, and that this declaration regarding
service was executed by me on March 6, 2018 at San Jose, California.

/s/
William C. Dresser

USexrelLesnik\Pld\Dismissal_2CA_Count1.306